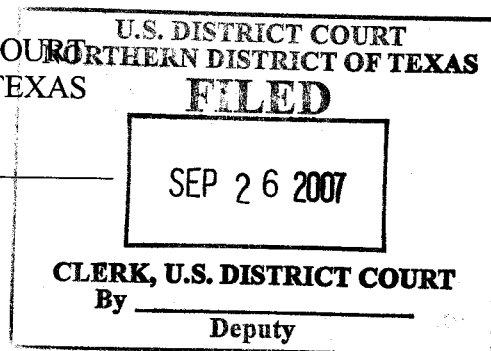


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



ROBBIE LYNN NEWBY, PRO SE,
TDCJ-CID #1238216,

Plaintiff,

v.

2:06-CV-0127

TONY PATE, Law Library Supervisor,
EDDIE WILLIAMS, Warden,
KELLI WARD, Grievance - TDCJ,
GLEN H. WHITFIELD, Major,
NFN LEWELLEN, Captain,
JAMES D. ANDERS, Lieutenant,
JUSTIN CABLER, Sergeant,
MISTY ROMERO, CO III,
V. BARROW, Asst. Prog. Admin. TDCJ, and
MIKE SIZEMORE, Warden,

Defendants.

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
TO DENY PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION AND ORDER DENYING MOTION**

Before the Court is plaintiff's December 13, 2006 "Notice of Motion and Motion for a Preliminary Injunction" filed in the above-referenced and numbered cause.

On August 30, 2007, the Magistrate Judge issued an Order Denying Plaintiff's Motion for Preliminary Injunction, which the Court construes to be a Report and Recommendation to Deny Plaintiff's Motion for Preliminary Injunction. Plaintiff filed his objections on September 12, 2007.

The Court has made an independent examination of the records in this case and has examined plaintiff's motion for preliminary injunction, the Magistrate Judge's Report and Recommendation, and the objections filed by the plaintiff.

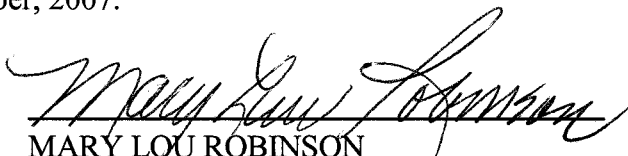
The Court is of the opinion that the objections of the plaintiff should be OVERRULED and the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does OVERRULE plaintiff's objections, and does hereby ADOPT the August 30, 2007, Report and Recommendation of the United States Magistrate Judge.

IT IS THEREFORE ORDERED that plaintiff's December 13, 2006 "Notice of Motion and Motion for a Preliminary Injunction" is DENIED.

IT IS SO ORDERED.

ENTERED this 26th day of September, 2007.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE